

The Examiner also relies on Sorkin ('393), Maurel et al ('924) and Perez ('354) and that Applicant's claims are rejected for obviousness in that Maurel teaches the utilization of plant sterols. However, Applicant respectfully submits that even with the contention that Maurel teaches the utilization of plant sterols, the combination of Sorkin, Maurel, and Perez does not render obvious the mixture and methods claimed in the amended claims of the Applicant in that the cited references neither singularly nor in their combination address the 1) unique composition of the policosanol of Applicant's invention or 2) the unique composition incorporating the policosanol.

In terms of the provisional double-patenting rejection, Applicant again respectfully requests that a determination be made on the merits of the present invention, as well as on 09/772,790, after which Applicant will, if necessary, make a terminal disclaimer.

It is Applicant's belief that this application is in a condition for allowance. An action so indicating is respectfully requested. If the Examiner believes that discussion of this application would be beneficial, the undersigned may be contacted at the telephone numbers indicated below.

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Respectfully submitted,



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